

1 INVESTIGATION OF GONGORA CASE

2 STATEMENT OF [REDACTED]

3 DATE: 06/08/2017

4 COURT CASE NO.: NOT INDICATED

5 POLICE INCIDENT REPORT NO.: NOT INDICATED

6 INSP. CHETCUTI: This is Inspector Vince Chetcuti with  
7 the San Francisco District Attorney's Office conducting an  
8 interview with [REDACTED], date of birth of [REDACTED].  
9 Present for this interview is Assistant District Attorney Andrew  
10 Law. The time is 4:55 in the afternoon and today's date is  
11 Thursday, June 8<sup>th</sup>, 2017. So [REDACTED] [REDACTED] we talked before going on  
12 record. I understand that you were friends with Mr. Gongora?

13 [REDACTED]: Correct.

14 INSP. CHETCUTI: Can you give us a little bit of  
15 background or your relationship, that would be great.

16 [REDACTED]: Sure. So I started working at [REDACTED] in  
17 [REDACTED] [REDACTED]. I would have to say roughly a few months into the  
18 job Luis was a dishwasher and a prep cook. He—I speak Spanish so  
19 I always work well with the Latino kitchen and so forth because I  
20 was always able to speak Spanish being the white boy, so they  
21 were always surprise and wanted to know where I was from and so  
22 forth. And anyways I grew a pretty tight bond with Luis.

23 INSP. CHETCUTI: What was your title there?

24 [REDACTED]: I was a waiter. I was hired as a waiter.

25 INSP. CHETCUTI: And he was a dishwasher.

26 [REDACTED]: Yeah in the back of the house. He was a  
27 dishwasher and a prep cook, he was [Spanish], you know, prep cook  
28 and basically dicing and everything [laughs]. So, uh, we started—  
we just kind of we hit it off, always chitchatting about working

1 and then after work we would go hang out, have our beers. [REDACTED]  
2 [REDACTED] instead of  
3 drink so much alcohol. So we're kind of just [unintelligible] and  
4 we like to watch soccer and we would always talk about—and one of  
5 the things that I thought was kind of amazing was as a kid I had  
6 gone to all the ruins of Mexico with my father and so when I met  
7 him and being Mayan Indian I just thought it was amazing that I  
8 was working with a Mayan and we [REDACTED] and I just thought  
9 that was the coolest thing ever so I just wanted to know more  
10 about his culture and so forth. So I just immersed myself  
11 immediately and had a real tight bond with him. We kind of hit it  
12 off and we hung out for about from 03 to 2012 and in 2012 we  
13 became estranged due to, uh, basically it was you know the  
14 building that he was living in at the time on the corner of  
15 Valencia and Market um on the floor that we were at there was a  
16 guy who moved in, drug dealer, so just everything just started to  
17 get worse, let's just put it that way. People were just falling  
18 down that rabbit hole slowly but surely because it was provided  
19 freely and so forth, so.

20 INSP. CHETCUTI: Is that where he lived?

21 [REDACTED]: He did, yeah.

22 INSP. CHETCUTI: Okay. Do you remember the address  
23 there?

24 [REDACTED]: You know it's—[REDACTED] [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]  
26 [REDACTED] [REDACTED] [REDACTED]. I

27 forget what it is off the top of my head but it's the only  
28 building there between Valencia and that little the freeway off.



1 INSP. CHETCUTI: Okay.  
2 [REDACTED]: That comes off. So we--so--but yes so and then  
3 when that happened we became estranged in 2012. I found out he  
4 was evicted. Uh, I kind of lost contact with him and then a year  
5 later I bumped into his [REDACTED] on the corner of 16<sup>th</sup> and I said  
6 dude where's your [REDACTED] I haven't seen him, da-da-da. Oh, he's  
7 on the street, da-da-da, and he told me where he was and at that  
8 point I figure he was living on where he'd gotten killed  
9 actually, he was living in that area. So I was periodically from  
10 like thirteen until he was dead I would see him from time to time  
11 not very much because you know I [REDACTED] [REDACTED] and so  
12 yeah, so it was hard to you know catch up with a guy who's  
13 homeless at this point, right?

14 INSP. CHETCUTI: So his [REDACTED] told you that he was  
15 homeless?

16 [REDACTED]: He was on the street and you know of course--

17 INSP. CHETCUTI: What was his [REDACTED] name do you  
18 recall?

19 [REDACTED]: Yeah, um, off the top of my head it's--yeah, I  
20 had--I forget right now. Hold on one second. [unintelligible]  
21 Armando? Carlos? No, it's [unintelligible] [REDACTED]

22 INSP. CHETCUTI: [REDACTED]?

23 [REDACTED] [REDACTED] [unintelligible]. So the Gongora  
24 is the mother's and then the last--the father's last name is p-a-  
25 t. Yeah.

26 INSP. CHETCUTI: Okay, [REDACTED] [unintelligible] [REDACTED]

27 [REDACTED].

28 [REDACTED]: Yeah, uh-huh.

1           INSP. CHETCUTI:           And do you have his number?

2           [REDACTED]:           Yeah, I got it all here. I have to pull it up  
3 for you here. Yeah. So you know these guys [REDACTED] and Luis you know  
4 they grew up in rural, you know, in the Yucatan and  
5 [unintelligible] you know rural Mexican, little town Diablo and  
6 [unintelligible] and stuff like that. So they're kind of Mexicans  
7 and one of them was a bullfighter and you know so I don't know,  
8 you know, but you know undereducated, you know, and just-just but  
9 super genuine and demeanor-wise very calm, you know, you know I  
10 never saw them want to pick fights, very social. He's more  
11 gregarious, you know, and he was small and he wasn't very cocky,  
12 you know. He was just-just really nice, you know, and we got  
13 along so well. I mean, you know, we're so close. We'd hang out  
14 every day because we were working together every day. If I needed  
15 anything I went to them first, him and his [REDACTED] and the two  
16 [REDACTED] that live with them and so they were like my family. I  
17 mean I relied on them on food because you know I would-I would  
18 not end up no money some days or whatever. If I needed anything,  
19 if I needed to eat, if I needed to sleep, if I needed anything I  
20 would basically be at the house and I worked always on Mission  
21 Street so I was always close to their house so I would go there  
22 for lunch if I needed to, I would go there immediately after  
23 work. I never-I stopped going to the pub because I would just buy  
24 beers and the convenient store downstairs which is called Valmar  
25 where they put that new little park next to the U-Haul on  
26 Valencia right where Valencia begins.

27           So I would just go upstairs and just [unintelligible] so  
28 that's my watering hole for really you know since 03 to 2012. So



1 I went there for everything until I met my girl and we became  
2 estranged and then they got homeless for whatever situations were  
3 going on at that time in the building. Everybody just started  
4 going in different directions at that point.

5 And uh, and then they got evicted and then shortly after  
6 like six months like somewhere in between 2012, 2013, they were  
7 evicted. When his [REDACTED] had—they had family here and they live  
8 on 16<sup>th</sup> and—by the Foods Co. if you know where that is on—a  
9 couple blocks down from Mission.

10 INSP. CHETCUTI: Okay.

11 [REDACTED]: I forget what block. It's a couple blocks down.  
12 I can't remember which but, um, so when they both end up  
13 homeless [REDACTED] was a little bit more would listen and obey and he  
14 knew that he was, you know, not wanting to live on the street. He  
15 wasn't like Luis. You know, he realized after a couple months on  
16 the street that he couldn't do it. [REDACTED]

17 [REDACTED]  
18 INSP. CHETCUTI: [unintelligible]

19 [REDACTED]: [REDACTED]. [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED] um, we tried—we were both battling  
22 through things.

23 INSP. CHETCUTI: [REDACTED]

24 [REDACTED]: [REDACTED]

25 INSP. CHETCUTI: [REDACTED]

26 [REDACTED]: Along with everybody who was in the building  
27 because that was what [unintelligible] when we were drinking and  
28 stuff.

1 INSP. CHETCUTI: Was that during-between 2003 and-

2 [REDACTED]: No, you know, that didn't come into later. That  
3 where everything just kind of the dynamic changed as we were  
4 getting older. Yeah, so it was near the end. I would have to say  
5 the guy came into the picture when he moved onto the-onto the  
6 floor, probably [unintelligible] 2011.

7 INSP. CHETCUTI: About 2011?

8 [REDACTED]: Yeah, a couple years prior to them getting  
9 evicted so I would have to say 2011.

10 INSP. CHETCUTI: [REDACTED]

11 [REDACTED] [REDACTED].

12 [REDACTED] Well we were all like, you know, we were  
13 [unintelligible] drinking beers, whatever, and then this guy he's  
14 on the floor and [REDACTED]

15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]

21 [REDACTED] He did his [unintelligible]. They tried  
22 to get him help. I tried to get help. We both kind of bounced in  
23 and out. That guy finally left but then he ended up homeless  
24 anyways because he had lost his job at that point for the first  
25 time he became unemployed or unemployable.

26 INSP. CHETCUTI: Was he a chronic user?

27 [REDACTED]: I would have to say in the end yeah. I mean  
28 there wasn't one thing it was the other. We were just, you know,  
rotation you know. [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED]. And, uh, and it was hard for him to get out of that hole  
3 being he was providing for his family and sending all of his  
4 money to his family down in [REDACTED] so when he lost his job and  
5 then became homeless it really was tough for him to get back on  
6 his feet again and so when I finally saw him in 2014 when I--six  
7 months prior to his death that's when I really made contact  
8 because I-I had been-I had [REDACTED] [REDACTED]

9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] Um, I was trying to get him off the street. I was trying  
11 to see if I could get--convince him to go back to [REDACTED], right?  
12 And then he was killed. Because you know it's surrounds. It make  
13 [unintelligible] violence, you know, because I'm sure there's a  
14 lot of problems between the police force and the homeless and you  
15 know whatever their issues might be that day or whatever but it  
16 was just unfortunate do to [unintelligible] violence.

17 INSP. CHETCUTI: What was his behavior like when he was  
18 under the influence of street drugs?

19 [REDACTED]: You know, very calm. I mean the  
20 [unintelligible] didn't have--just very, not hostile in any sense.  
21 More--I guess more reclusive at that point. Just, you know, very--  
22 to himself, to himself yeah, to himself.

23 INSP. CHETCUTI: So he would be withdrawn?

24 [REDACTED]: Yeah, yeah, most people with addiction you know  
25 that's just how it works. It just becomes you know isolation and  
26 so forth so--but he wasn't one to like go and act or anything like  
27 that. Um, [REDACTED] was the only one who saw, you know, they  
28 were both always arguing so if he was withdrawing then they would



1 argue about each other's problems but that was it and I never saw  
2 it but I always heard it because it would always happen like late  
3 night and the brothers who lived with them would always tell me  
4 that they were fighting because whatever they were fighting about  
5 but it was usually because he was using too much or he was  
6 drinking too much or whatever. Because they were the only two  
7 that they had here so they were always—

8 [REDACTED] and the rest  
9 back in [REDACTED] so they were the only two they had here so they  
10 were always kind of fighting with each other. That's it. I never  
11 saw it but I would hear from the [REDACTED] that lived with  
12 them that they would fight over that when they were wasted.

13 INSP. CHETCUTI: Now, how would you communicate with  
14 them?

15 [REDACTED]: In Spanish.

16 INSP. CHETCUTI: Always in Spanish?

17 [REDACTED]: Always in Spanish. There was never a  
18 conversation in English, never.

19 INSP. CHETCUTI: Did he speak English?

20 [REDACTED]: No.

21 INSP. CHETCUTI: Did he understand English?

22 [REDACTED]: I'm sure he understood some words, you know.  
23 But his—he never really tried to learn the language because he  
24 knew he could get by.

25 INSP. CHETCUTI: How long do you think?

26 [REDACTED]: In all his jobs always through the Latino  
27 community and so yeah his language and his education level like I  
28 would never talk to him in English, I never. Um, so his



1 understanding of the language I really couldn't tell you even  
2 being with him as long as I was because he—he didn't ever talk to  
3 me because I never tried to talk to him because I always wanted  
4 to practice my Spanish and learn more Maya [unintelligible]. So  
5 we never actually had a conversation in English ever once.

6 INSP. CHETCUTI: How long was he in the country for, do  
7 you know?

8 [REDACTED]: I would have to say anywhere between seven to  
9 ten years.

10 INSP. CHETCUTI: Okay, seven to ten years.

11 [REDACTED]: Seven to ten years, yeah.

12 INSP. CHETCUTI: Did you—did you ever see him interact  
13 with anybody in English or anything like that?

14 [REDACTED]: Just the waitresses, you know, because they're  
15 cute and so maybe—maybe he would say but it's usually the girls—  
16 believe it or not it was mainly the women in the restaurant would  
17 try to communicate with them in Spanish because they were trying  
18 to perfect their Spanish too so they would [unintelligible] some  
19 words or whatever and teach them some Mayan words like cuss words  
20 or whatever, you know, just the inappropriate things, right. But  
21 no I never—I never heard Luis really [unintelligible]. I think he  
22 just—I don't know, he's one of these people I thought that just  
23 you know he excelled in working hard, right, and he felt like he  
24 could live his life this way and so people like that I feel like  
25 just kind of block off you know the other park as far as trying  
26 to excel in other ways educationally, you know what I mean. I  
27 don't know. So he didn't really try to learn the language ever.

28 INSP. CHETCUTI: So what happened at [REDACTED]?

1 [REDACTED]: You know, I don't know in the end. Um, what  
2 happened there because I had left three years—I was only there  
3 for three years and left and we had our relationship because I  
4 was always working close to Luis.

5 INSP. CHETCUTI: So you left before he—

6 [REDACTED]: Oh yeah. I worked there for three years but we  
7 had created such a bond so when I kept on working in different  
8 areas I would always go to his place.

9 INSP. CHETCUTI: When did you leave?

10 [REDACTED]: I left in 06 but I hung out at his place more  
11 from 06 to 2012 than I did from 03 to 06. Like I started hanging  
12 out with him more after I left the restaurant.

13 INSP. CHETCUTI: Any idea as to when he left [REDACTED]

14 [REDACTED]: Yeah I think it was—because he started working  
15 at the Fisherman's Wharf when I was working at the Fisherman's  
16 Wharf. 2010, 2011, 2010, 2011.

17 INSP. CHETCUTI: So he worked at [REDACTED] from 2003—

18 [REDACTED]: To at least 2010, 2011, yeah. And then he was  
19 let go and the manager that ran the show and still runs the show  
20 is, um, I believe his name is [REDACTED].

21 INSP. CHETCUTI: Do you have [unintelligible].

22 [REDACTED]: You know, [REDACTED] over here the one that  
23 you had—

24 INSP. CHETCUTI: Yeah.

25 [REDACTED]: [REDACTED].

26 INSP. CHETCUTI: Is he still there?

27 [REDACTED]: Yeah, I'm sure he is.

28 INSP. CHETCUTI: [REDACTED]?



1 [REDACTED]: Yeah, he's been running that show over there  
2 for a long time. Yeah with the manager there is [REDACTED] which is  
3 the [REDACTED] that [unintelligible].

4 INSP. CHETCUTI: Okay, yeah. And what about--and what  
5 location are we talking about?

6 [REDACTED] [REDACTED] [REDACTED], right on the  
7 corner from [REDACTED] and so forth.

8 INSP. CHETCUTI: And uh--

9 [REDACTED]: So life is going fine. You know, we were  
10 unemployed, everything was fine. Um, the problem I believe is--is  
11 just the substance abuse just started to be a little bit more  
12 when the--when that guy moved onto the floor and there was just  
13 move stuff freely given [REDACTED] and you know how Latinos are very  
14 social and so we were always hanging out there and somebody  
15 always was cooking and you know we all pitched in and you know it  
16 was very communal. And so it was really great except that you  
17 know just you know after two years and this constantly happened  
18 and things and then you lose your job and then you become  
19 homeless and you know [unintelligible]. I just had a little bit--a  
20 better in. So I had a lot more resources and help for me whereas  
21 he didn't, you know. So yeah, so that's what's always kind of  
22 bothered me in the back of my mind.

23 INSP. CHETCUTI: Where did you work at Fisherman's  
24 Wharf?

25 [REDACTED]: [REDACTED]  
[REDACTED] which is across the street. But at  
27 that point we didn't really see much of each other, um, one of  
28 the girls--he was always hanging out with this girl for a little

1 while.

2 INSP. CHETCUTI: What's her name?

3 [REDACTED]: [unintelligible] I forget. She popped into the  
4 picture.

5 INSP. CHETCUTI: Did she work at [REDACTED]

6 [REDACTED]: No, no. We met her in the building that we  
7 lived—that they lived in and she was around for maybe—they hung  
8 out for maybe six months to a year maybe six months to a year at  
9 the most. Year at most and then she went her separate way and he  
10 was homeless and she was homeless.

11 INSP. CHETCUTI: And how long did you work at [REDACTED]?

12 [REDACTED]: I don't know for sure but I'm going to say  
13 about a year and a half.

14 INSP. CHETCUTI: And do you know why you left?

15 [REDACTED]: I would have to say—

16 INSP. CHETCUTI: If you know.

17 [REDACTED]: I don't know. And for either job I'm not a  
18 hundred percent sure.

19 INSP. CHETCUTI: I appreciate that.

20 [REDACTED]: But I believe he's homeless at the second job  
21 and so maybe you know being homeless and you know attire-wise and  
22 smelling and it was, I don't know, I would think—and I did see  
23 some [unintelligible] at that point it's probably tough to keep a  
24 job.

25 INSP. CHETCUTI: You said that you guys tried to get him  
26 some help for his substance abuse.

27 [REDACTED]: You know I did and I—I know that he ended up in  
28 a place, um, somewhere around 2012 he ended up somewhere—



1           INSP. [REDACTED]           So, with his [REDACTED]  
2           [REDACTED]:           I think he got arrested which is on the books,  
3 second or third time. I think it was for drinking in the alley or  
4 something and from there I think he was transferred for like a  
5 couple of weeks or a month, somewhere to one of—I don't know if  
6 it's Joe Healy, one of these places. But I know it's Spanish  
7 speaking, it had to be. So, um, and I remember that helped him  
8 because the guy that lived on the floor was a heroin dealer so  
9 that was his drug of choice and I think that's what—and they were  
10 both in the same area so he got attached to that. I think he kind  
11 of kicked that habit through that process and then kind of moved  
12 over to methamphetamines which was a lot more mellow than doing  
13 heroin or being able to subsist a little longer on the street.

14           Now this is all you know because I hung out with him so long  
15 you know whether his [REDACTED] knows that the  
16 situation [unintelligible] probably say no. This is just me  
17 because we're all so close to him [REDACTED]  
18 [REDACTED] [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] and then  
20 the other guy turned on the heroin but regardless addiction was  
21 definitely in play.

22           INSP. CHETCUTI:           How would he administer the drug?

23           [REDACTED]:           But he was always very sharp. Oh, heroin he  
24 injected but then that ended and then the smoke—

25           INSP. CHETCUTI:           Did he smoke it?

26           [REDACTED]:           He's just smoke or maybe snort it but you know  
27 at that point when he's on the street I didn't hang out [REDACTED]  
28 [REDACTED], that was the end of it.

1 INSP. CHETCUTI: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

8 INSP. CHETCUTI: How did you hear about his death?  
9 [REDACTED]: I was--so at the same time I had just got--I was  
10 unemployed and the city paid for me to go to [REDACTED] and I  
11 was taking some [REDACTED] over at the  
12 [REDACTED] and I had hear about it while I was sitting in  
13 class actually but I didn't think it was him until I read three  
14 days later I read the Guardian article, um, I forget her name the  
15 reporter but I read her article and I knew immediately that it  
16 was Luis and so then I went and checked his [REDACTED] down and--  
17 because I kind of knew where he was and--and then I tracked down  
18 the [unintelligible] I tracked her down through [unintelligible].

19 INSP. CHETCUTI: Who?  
20 [REDACTED]: She's the lady who's helping the family out  
21 with this process.

22 INSP. CHETCUTI: What's her name, I'm sorry?  
23 [REDACTED]: [REDACTED] [unintelligible]. [REDACTED]  
24 [unintelligible].

25 INSP. CHETCUTI: [REDACTED]?  
26 [REDACTED] Yeah I saw her she was with [unintelligible].

27 INSP. CHETCUTI: How do you spell her last name do you  
28 know?



1 [REDACTED]: Yeah. Uh, [REDACTED]. She lives in the  
2 [REDACTED] and uh [unintelligible].

3 INSP. CHETCUTI: [unintelligible]

4 [REDACTED] Yeah I do, I do have her number. Yeah, uh-huh.

5 INSP. CHETCUTI: And she's a friend of the family?

6 [REDACTED] So no. You know I saw her on Democracy Now with  
7 a Guardian reporter.

8 INSP. CHETCUTI: I'm sorry, she's a reporter?

9 [REDACTED]: [unintelligible]. You know, to be honest with  
10 you I don't know what her actual job is but I believe she is a  
11 reporter. Maybe's she a journalist. She's a write. I definitely  
12 know she's a write. I don't—I never asked what her actual job was  
13 but I believe she works in education and um she starts nonprofits  
14 I believe as well. I don't really know too much about her though  
15 to be honest with you. But I saw her on TV and uh with [REDACTED]  
16 [REDACTED] and the other report on Democracy Now and I just kind of—  
17 and then I saw everybody basically in the Town Hall meeting  
18 because I spoke and so I was [unintelligible] with the reporters  
19 and I had seen her on TV so I kind of introduced her to the  
20 family and she's kind of taken the lead and assisted with the  
21 family.

22 INSP. CHETCUTI: Okay. So you provided, uh, a report to  
23 the media or?

24 [REDACTED]: I saw her and a couple reports on [REDACTED]  
25 the news channel [unintelligible] and then when I went to the  
26 Town Hall meeting uh, I saw her there and—and a bunch of  
27 reporters who were hitting me up and I contacted her and  
28 introduced her. Well, I gave her the—I talked to the family first

1 and I gave the family her telephone number and they went from  
2 there.

3 INSP. CHETCUTI: And you gave—

4 [REDACTED]: The family got my name and number.

5 INSP. CHETCUTI: Did you ever give the media a statement  
6 or anything like that?

7 [REDACTED]: Yeah, I did a few things that day and then I  
8 spoke to three—the Guardian, and [unintelligible] the one in the  
9 Mission.

10 INSP. CHETCUTI: I'm sorry, the what?

11 [REDACTED]: I think—I forget what it is. I think it's  
12 called [Spanish]. I'm not sure, it's a local Mexican-American  
13 newspaper, it's distributed freely in the Mission area. I think  
14 it's [Spanish] I forget its name. I forget the name of the  
15 reporter's name and then one other reporter. But there's so many  
16 who hit me up that particular day but I followed up. Mainly I  
17 just gave an interview with the Guardian, with the Guardian, you  
18 know the UK Guardian [unintelligible] the US version here.

19 INSP. CHETCUTI: And what was the extent of the?

20 [REDACTED]: You know I just gave a report but I kind of  
21 withdrew, I kind of went up there. I introduced [REDACTED], she kind  
22 of knew more because she had worked with, um, other cases like  
23 this so she knew more about how to go about these things while I  
24 was trying to just get a job and try to keep my [REDACTED]  
25 together. I kind of just withdrew and I just kind of she took  
26 charge and she knew what she was doing and so I helped a little  
27 bit you know at the beginning but did as much as I could and I  
28 felt the first three weeks of the whole situation and then I just



1 kind of backed off and, um, she assisted the family.

2 INSP. CHETCUTI: So how soon after the incident happen  
3 did you talk to the reporter?

4 [REDACTED]: Everything happened within the first month.

5 INSP. CHETCUTI: The first month?

6 [REDACTED]: Yeah, everything. And then you know I've gone  
7 out and supported the family with different things as far as  
8 protest, I've done a little bit of that. Um, [unintelligible]  
9 yeah just political action. Just a little bit. Um, maybe two or  
10 three times. I went to the funeral of course, the wake and I've  
11 talked to the family a little bit, uh, I talked to [REDACTED] a  
12 couple times. So I have followed up with them throughout the  
13 year. Um, well [unintelligible] and now not so much but I let  
14 them know I was coming to see you all today.

15 INSP. CHETCUTI: Uh-huh.

16 [REDACTED]: I let [REDACTED] know and I let [REDACTED] know.

17 INSP. CHETCUTI: You let Arianna know, okay.

18 [REDACTED]: Not [REDACTED]. But he has two cousins, [REDACTED]  
19 [REDACTED], and um so I let them know. [REDACTED] because he speaks the  
20 most English. So I--

21 INSP. CHETCUTI: What's [REDACTED] last name?

22 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

23 INSP. CHETCUTI: [REDACTED]

24 [REDACTED] And then separate, yeah, [REDACTED]. Yeah.

25 INSP. CHETCUTI: And [unintelligible].

26 [REDACTED]: And he works at the, um, the [REDACTED]

27 He's a--he runs the--he's the [REDACTED] I

28 believe the one on Cole Valley and I think even the one on [REDACTED]

1 and [REDACTED], you know that one right there by the [REDACTED] [REDACTED]  
[REDACTED]

3 INSP. CHETCUTI: What's his-

4 [REDACTED]: Yeah. Yeah because he speaks the most English  
5 of the family of Luis' family. He'd probably be the easiest one  
6 to talk to. I would have he would be your go-to guy for the  
7 family.

8 INSP. CHETCUTI: Is that right, okay.

9 [REDACTED]: Yeah. I mean from Luis family he definitely  
10 speaks the most English. He seems to be the most educated, yeah.  
11 I mean his [REDACTED] [REDACTED] he seems to be  
12 the one kind of more in charge of what's going on because he's  
13 just a little bit more extroverted. Um but this [REDACTED] is  
14 definitely the one.

15 INSP. CHETCUTI: I'm sorry.

16 [REDACTED]: That's all right, yeah. So yeah I was real  
17 close with Luis. It's unfortunate, um, I just feel it was just a  
18 failure to stay really I'm going to be honest with you as much as  
19 I don't-

20 INSP. CHETCUTI: In what way?

21 [REDACTED]: I felt that they-well the whole interaction was  
22 pretty bad I thought, you know, it's very fast, extremely fast.  
23 Luis wasn't a threat in any way I mean those two guys could have  
24 easily taken him [unintelligible] anything I mean and you know as  
25 far as having a knife I think all of them over there have a  
26 knife, but pulling a knife he didn't pull a knife. I mean he'd  
27 have to be so crazy. And you know after someone does  
28 methamphetamines for a long period of time I've seen them lose



1 | their minds and not come back, I've seen it all the time, I've  
2 | seen it happen you know through my life a lot plus [REDACTED]  
3 | [REDACTED] so I know mental illness. He wasn't there yet. He  
4 | wasn't there yet. I didn't see him there yet. He wasn't there  
5 | yet. His mind was pretty strong in that sense. Um, being able to  
6 | take, you know, what he was enduring just living on the street,  
7 | um, he wasn't mentally ill at that point The sleep deprivation  
8 | after a couple days gets you there, yeah, but pulling a knife I  
9 | just don't see it. I think he was just frightened, because both  
10 | officers approached him so quickly and he stood up from the other  
11 | witnesses especially the lady upstairs who saw what happened. He  
12 | was just more frightened than anything and I know he had partied  
13 | the night before it was a nice hot summer day, it was a Thursday,  
14 | there was a lot of activity on the street that night, uh, so I'm  
15 | sure that, you know, the hotter it is the more vices there are  
16 | and the more overdoing it. I just think he was frightened, you  
17 | know.

18 |       INSP. CHETCUTI:       Are you talking about the night before  
19 | the incident?

20 |       [REDACTED]:       Yeah. Yeah.

21 |       INSP. CHETCUTI:       Is that when?

22 |       [REDACTED]:       Yeah because I've talked to families in the  
23 | area.

24 |       INSP. CHETCUTI:       Did you talk to any of the folks that  
25 | he used to hang out with?

26 |       [REDACTED]:       Yeah, yeah. And there was one that he lived  
27 | with, I forget—he was the one who did all the art, he's in the  
28 | first Guardian article, there's a picture of him in there. And

1 | because they were basically from the same area. I don't think if  
2 | they knew they were from the same area or not, I don't really  
3 | know how personal they got, um, but I talked to him and um yeah I  
4 | mean it just wasn't in her demeanor to act our or try to attack  
5 | anybody or police officers, especially a police officer. I know  
6 | he didn't want to die and anyway more than anything I think he  
7 | wanted to go home but he was just so—I don't think his family  
8 | even knew he was on the street, his immediate family, the ones in  
9 | [REDACTED]. I don't think they actually knew that he was on the  
10 | street to be honest with you. Um, so I think it came as a  
11 | surprise to them when they found out. They knew that he wasn't  
12 | sending money anymore but who knows the tales he was giving them,  
13 | you know, in order to keep the lie going, who knows. I have no  
14 | idea. So, but yeah, no, I don't think in any way it would have  
15 | been because of him. I think the police officer is just kind of  
16 | wrong and just overreached and just, you know. And that happens,  
17 | you know, in those situations. But you know that segment of the  
18 | population isn't so respected, so—and um, you know I was in the  
19 | military, I was a ranger, you know. I just kind of know how it  
20 | kind of works and so I just felt that that's ultimately what  
21 | happened and—a breakdown and I feel more it was the state's fault  
22 | and, um, but then again you know it's just hard to come to grips  
23 | with it.

24 |       Yeah, it really bothered me but I was trying to just go on  
25 | with my life and—and [REDACTED] really helped out a lot because I  
26 | didn't really have any involvement as much as I thought that I  
27 | was going to be involved and plus my wife didn't want to accept  
28 | the fact that I even knew these people or I was hanging out with



1 this guy because I didn't—she didn't really knew me when I knew  
2 or was hanging out with these people.

3 Um, so, and then you know the problems I've had in our  
4 relationship so she didn't really want to accept the fact that I  
5 was doing all these things or whatever was happening during this  
6 time especially him being homeless and the whole situation it was  
7 just a lot for her to understand. So and she's from [REDACTED] and a  
8 different culture and so I'm just trying to keep the relationship  
9 going on [REDACTED] and the whole bit so that's a lot of work on its  
10 own, you know.

11 INSP. CHETCUTI: How old is [REDACTED]?

12 [REDACTED]: [REDACTED] [REDACTED]. So you know  
13 things are good and I just, uh, but [REDACTED] helped a lot and so  
14 things seem to be going in the right direction. I hope the family  
15 can get some—something out of this, you know, but if not you know  
16 I won't be surprised either. I guess that's just the way it  
17 works, some win, some lose and it's usually the poor that loses,  
18 you know, so, yeah, so but yeah I was really close to Luis. I  
19 felt like you know he was kind of like my brother. I mean he was  
20 my sidekick and was always with me, I took him everywhere, we  
21 were really tight probably the last five years prior to 2012 and  
22 then we became estranged at that point so it always really  
23 bothered me and then when I found out that he was still alive and  
24 he was on the street when I finally saw him six months prior to  
25 his death I was hoping that maybe I could do something to get him  
26 off the street you know and then it just happened so fast and  
27 then it's too late, so.

28 INSP. CHETCUTI: Do you know anybody else that might

1 know some additional background on him besides the family?

2 [REDACTED]: You know they're all gone.

3 INSP. CHETCUTI: What do you mean all gone?

4 [REDACTED]: Well the ones that were kind of close they all  
5 have disappeared as far as I know. At least three I know have  
6 died and then the others I have no idea where they are, I never  
7 saw them again. Maybe—I heard some of them had got deported so I  
8 really don't know at this point anybody other than his [REDACTED].  
9 His [REDACTED] was the only one who would see him on a regular basis  
10 because ultimately when he ended up on the street his [REDACTED] was  
11 only five blocks down the road, he was actually on the same  
12 street at the end of the road basically so where Luis was killed  
13 he was at the end of that road which is [REDACTED] so he—I  
14 think it was [REDACTED], so all the way at the end where the  
15 [REDACTED] is he's basically right there so he would see him I  
16 would think once a week.

17 INSP. CHETCUTI: Do you know where his [REDACTED] lives?

18 [REDACTED]: Yeah, yeah.

19 INSP. CHETCUTI: Where?

20 [REDACTED]: It's that block so it's got to be [REDACTED]  
21 on the block right next to the [REDACTED] where the [REDACTED] is  
22 which is where the [REDACTED] is you know underneath the  
23 freeway overpass that—that place that doesn't sell any meat, that  
24 organic all, you know.

25 INSP. CHETCUTI: Yeah, yeah, I think I know which one  
26 you're talking about.

27 [REDACTED]: The block over.

28 INSP. CHETCUTI: Yeah, yeah.



1 [REDACTED] I think it's the one block over is that [REDACTED]  
2 [REDACTED] on that corner there.

3 INSP. CHETCUTI: And he lives in one of the buildings  
4 there?

5 [REDACTED] Right across the street there's an old  
6 [REDACTED] and he lives in one of those [REDACTED] thee I can't  
7 remember.

8 INSP. CHETCUTI: And what's he do for a living now?

9 [REDACTED] Everybody--so the brother, like I said [REDACTED]  
10 works the--does the [REDACTED] in [REDACTED] and right across  
11 the street is, um, [REDACTED] or no, some restaurant right across  
12 the street from [REDACTED] that's where he works. Um, they do  
13 I think they're the [unintelligible] dishwashing and prep.

14 INSP. CHETCUTI: Okay.

15 [REDACTED] Yeah. [REDACTED] yeah, so like the whole  
16 family kind of runs those two.

17 INSP. CHETCUTI: Is there anything else that I should  
18 know about Luis that maybe--

19 [REDACTED] Yeah he's just a hard worker. Good, good guy.  
20 Came here you know and worked as hard he could, sent all his  
21 money back home, you know, wanted to provide for his family. He  
22 was like anybody else and then you know fell down the rabbit hole  
23 and then just very little means of getting out of that hole. It  
24 was just him and his [REDACTED] and you know coming from a rural,  
25 you know.

26 INSP. CHETCUTI: So during the time that you guys were  
27 together did you know whether or not he ever sought help for his  
28 substance abuse?

1 [REDACTED]: You know, we never thought anything was going  
2 on until it was like too late like you know the last couple years  
3 were just kind of [REDACTED]

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED] We had fulltime jobs and were doing  
7 our, you know our happy hours and then you know happy hour got to  
8 be you know a little longer than the normal and I don't think he  
9 saw it coming and I don't think he wanted to accept the fact that  
10 he had lost his job you know and he was really trying to work  
11 because we had a girlfriend who lived in the building who sold  
12 hot dogs and stuff so she would have him sell hot dogs but then  
13 she said he started to look too rough so she couldn't even have  
14 him sell his hot dogs. So and that's the time at that same time  
15 that's when [REDACTED] realized hey I can't live on the street anymore.

16 INSP. CHETCUTI: And is that because he was doing a lot  
17 of drugs?

18 [REDACTED]: Well the both of them ended up on the street.  
19 I'm not sure exactly why. I think you know the guy, the slum  
20 lord, the Palestinians who ran that building they were horrible.  
21 Um, they pushed them out somehow and I'm sure it wasn't by legal  
22 means and they ended up on the street and it made the situation  
23 worse.

24 INSP. CHETCUTI: Do you remember what the address that  
25 he lived at?

26 [REDACTED]: I can't remember. It's just that—it's right  
27 across from the [REDACTED], [unintelligible] corner. Yeah, it's  
28 right there. It's still there.

INSP. CHETCUTI: And it's on [REDACTED]?



1 [REDACTED]: It's got the [unintelligible] [REDACTED]

2 [REDACTED].

3 INSP. CHETCUTI: [REDACTED], okay.

4 [REDACTED]: Yeah, yeah.

5 INSP. CHETCUTI: What is it, there's a [REDACTED] near that  
6 area?

7 [REDACTED]: And the [REDACTED] is across the street and  
8 the [REDACTED] is all the way up the hill, yeah, yeah.

9 INSP. CHETCUTI: Okay.

10 [REDACTED]: Yeah so it was yeah it was good times, you  
11 know. I really had a—I just never saw it ending this way. When we  
12 became estranged I had no idea what had happened between 2012 and  
13 the time of his death but the last six months we reunited really,  
14 that was like my reunited with him and we would—

15 INSP. CHETCUTI: And how did that come about?

16 [REDACTED]: You know so there wasn't much conversation when  
17 we reunited I would just be with him, just—and [REDACTED]  
18 [REDACTED] so I would just go to there was a soup kitchen down on 16<sup>th</sup>  
19 and Potrero so I went there a couple times with him and hung out  
20 and we would talk and say how you're doing and he seemed to be  
21 fine and I didn't see him use so that was another thing. I just  
22 you know if you're on the street the majority of the time you  
23 know there's some vice involved I mean, whatever it might be or  
24 mental illness, you know, but he wasn't mentally ill.

25 INSP. CHETCUTI: You mentioned that he had possible  
26 girlfriend or something like that?

27 [REDACTED]: At that point he didn't. The last six months,  
28 she was like in that 12, 2012, 2013, before he left that

1 apartment building and ended up on the street.

2 INSP. CHETCUTI: Okay and you didn't know her name?

3 [REDACTED]: No, I forgot her name now, yeah. She was kind  
4 of insignificant, just somebody they latched on and  
5 [unintelligible] for a short period of time.

6 INSP. CHETCUTI: Andrew, anything else?

7 ADA LAW: Did you hang out with a particular group of  
8 people when you were hanging out with Luis before he became  
9 estranged?

10 [REDACTED]: Was I hanging out?

11 ADA LAW: Was there like a core group of folks?

12 [REDACTED]: No, you know, because I moved here [REDACTED]  
13 after I got out of the military, went to college, you know I talk  
14 to everybody you know so I-I just my friends change from year to  
15 year really. I didn't really have a core group here because I'm  
16 not from here so it was usually work employees or meeting people  
17 from work or school so I was always constantly changed so I  
18 didn't have a set group.

19 ADA LAW: When you were hanging out with Luis I mean.

20 [REDACTED]: I always had a girlfriend. At the time I was  
21 hanging out with Luis I had a set girlfriend. I was dating a  
22 [REDACTED] for about eight years I was with Luis.

23 ADA LAW: Do you know a guy by the name of [REDACTED]?

24 [REDACTED]: [REDACTED]? No.

25 ADA LAW: [REDACTED], does that ring a bell?

26 [REDACTED]: No, no. [REDACTED]. No. Those don't ring a bell.

27 INSP. CHETCUTI: I tell you what, you've got our cards,  
28 in the event that you come across someone that might have some



1 knowledge about Luis-

2 [REDACTED]: You know, the only other girl or person that  
3 might you know so the guy I told you about he had a [REDACTED]

4 INSP. CHETCUTI: I'm sorry, which guy?

5 [REDACTED]: The dealer.

6 INSP. CHETCUTI: Oh okay, all right.

7 [REDACTED]: That lived on the floor that we lived on his  
8 wife and she's with a new guy now and-

9 INSP. CHETCUTI: What's her name?

10 [REDACTED]: [REDACTED].

11 INSP. CHETCUTI: [REDACTED], how do you spell that?

12 [REDACTED]: Yeah I think I have her telephone number. You  
13 know, she lived in the building with Luis and [REDACTED] and she came  
14 to the funeral because I-but she speaks pretty much only Spanish  
15 this is just to give you a heads-up on that. I think this is her  
16 right here. Um, you know where that-it's on the corner of [REDACTED]  
17 and [REDACTED] and [REDACTED], so between [REDACTED] and [REDACTED]  
18 [REDACTED] on [REDACTED] there's an [REDACTED] called  
19 [unintelligible] they sell their famous [REDACTED] they have  
20 [unintelligible]. She's in the building right next to it.

21 INSP. CHETCUTI: How do you spell that? How do you spell  
22 that?

23 [REDACTED]: [unintelligible] I think it's-let me see, I'm  
24 not sure how they spell that one, let me see.

25 INSP. CHETCUTI: What was her ex-husband's name?

26 [REDACTED]: Yeah so it's [REDACTED].

27 INSP. CHETCUTI: [REDACTED].

28 [REDACTED]: This is it right here. [unintelligible] [REDACTED].

1 It's closed right now but there's—if you're on the corner she's  
2 the building to the right of it on the second floor.

3 INSP. CHETCUTI: Okay, that's the—that's not the one on  
4 [REDACTED]?

5 [REDACTED]: And if you just know her name everybody in the  
6 building knows her so I remember that when I went because I was  
7 trying to track her down I asked one of the kids who was playing  
8 hey do you know [unintelligible] da-da-da, oh yeah. [REDACTED] is a  
9 kid too, I forget [REDACTED] name right off the bat. But anyways they  
10 actually left a message put it under the door for me and [REDACTED]  
11 ended up calling, so.

12 INSP. CHETCUTI: And what was [REDACTED]'s name?

13 [REDACTED]: I can't remember his name. They just called [REDACTED]  
14 [unintelligible] [REDACTED].

15 INSP. CHETCUTI: And he was the dealer?

16 [REDACTED]: I forgot what his name was. I mean that's—I  
17 mean he had a job, right, but on the side that was mainly where  
18 the income was coming from, yeah I mean. Yeah. Unfortunately this  
19 is how things go, you know.

20 INSP. CHETCUTI: Understood.

21 [REDACTED]: Yeah.

22 INSP. CHETCUTI: [REDACTED] I do thank you for your  
23 time.

24 [REDACTED]: Yeah.

25 INSP. CHETCUTI: And just one more question. In the  
26 course of talking to folks about this incident did you come  
27 across anyone who witnessed the actual incident, who hasn't come  
28 forward?



1 [REDACTED]: Oh, that has not. No, no. Everybody—because I  
2 tracked down everybody through the article and uh that's pretty  
3 much it. Uh, you know if anybody saw it was those homeless cats  
4 that was living on that street and I don't know where they are  
5 and I never really got to know any of them other than the one  
6 that I told you is in the picture and I talked to him a few times  
7 but I never saw him again. So no.

8 INSP. CHETCUTI: Is it the [REDACTED]?

9 [REDACTED]: No, he looks indigenous Mayan kid too. They all  
10 did I mean at least the ones that were living around him. There  
11 was a few more—there was a lot more people that were in tents  
12 there too but they were of different ethnicities. So that's that.  
13 Well thanks for—

14 ADA LAW: Thank you.

15 [REDACTED]: Yeah.

16 INSP. CHETCUTI: Thank you very much. The time is 5:38 and  
17 I'm going to end the interview at this point, thank you.

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